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09/735,673	12/13/2000	Hajime Sakai	MAT-8072US	5614

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EXAMINER

TAYLOR, BARRY W

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 11/14/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

9

**Office Action Summary**

Application No.

09/735,673

Applicant(s)

SAKAI ET AL.

Examiner

Barry W Taylor

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5,9,10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,9,10 and 12-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-5, 9-10 and 12-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Shnier (US 20020009184) in view of Fan (5,602,908).

Regarding claims 1 and 3. Shnier teaches a telephone apparatus (see figure 2A) comprising:

an information detector for detecting caller information which is transmitted responsive to placement of a telephone call (see figure 2A wherein "Last Caller's Number was ..." is detected and displayed on display screen),

a display unit for displaying the caller information received during the telephone call (see figure 2A wherein "Last Caller's Number was ..." is detected and displayed on display screen),

an operation unit for specifying a plurality of caller groups (see operation unit 200 figure 2A wherein the user presses button 205a for specifying a plurality of caller groups),

a plurality of input devices (see plurality of input devices 205b), each of which corresponds to a respective one of the caller groups.

In other words, the user presses one of the input devices (i.e. "Big Dog" – button, "Cow"—button, etc) which corresponds to callers the user wants to group. For example, if the user wants family members to be grouped together. The user would press the "Big Dog" button so that family members are grouped together and when one of the family members calls the user the "Recognized" led 201 would flash and a "Big Dog" sound would be heard to indicate that a family member is calling. Another example, if the user wants to group friends. The user would press the "Chicken" – button to group friends that call the user and when one of the friends calls the user the "Recognized" led 201 would energize and a "Chicken" sound would be heard to indicate that a friend is calling.

a memory for storing the transmitted caller information displayed in the display unit in one of the groups responsive to activation of a respective one of the input devices (see memory storage 132 figure 1 having the capacity to store distinctive sounds assignments for about 84 recognized callers plus the distinctive sound

Art Unit: 2643

assignments for unknown callers and repeat unknown callers and other memory storage devices could store assignments for more callers if necessary – page 7 paragraph 88).

Shnier does not show a controller when received caller information coincides with caller information in the memory, the caller group which relates to transmitted caller information is identified and displayed. However, Shnier identifies call groups by using distinctive sound and flashing “Recognized” led and if the incoming call is not associated with a group then the “Unrecognized” led is energized.

Fan also teaches a telephone apparatus (Title, abstract, figures 1-2) comprising:

- an information detector for detecting a transmitted caller's information (#22 figure 1);
- an operation unit for specifying a group of the caller's information (see keypad #28 figure 1, col. 4 lines 16-20);
- a memory (#29 figure 1) for storing caller's information (i.e. telephone number) and specified group (i.e. priority callers) information (#26, #27 figure 1, col. 1 lines 57-67, col. 2 lines 19-60, col. 3 lines 3-67, col. 4 lines 16-20);
- a display unit (#25 figure 1); and
- a controller (#24 figure 1), the controller displays the caller's information in the display unit (Title, abstract), and searches the information in the memory (col. 1 line 25-67, col. 2 lines 19-60, col. 3 line 27 – col. 8 line 51), and when finding the information coinciding with the caller's information, the caller's information is shown in the display

Art Unit: 2643

unit so as to identify the group of the caller's information (Title, abstract, col. 2 lines 19-34, col. 3 line 42 – column 8).

In other words, Fan allows for the "Display Information" to be anything. For example, Fan allows plurality of numbers to be assigned to LED (i.e. family members assigned to GREEN LED having high priority and the RED LED used for indicating low priority calls such as old girl friends, telemarketers, etc). Fan allows for great flexibility to program the unit to users desire.

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the telephone apparatus as taught by Shnier to prioritize calls as taught by Fan so that the user can prioritize an incoming call while assigning "Big dog" sound to the incoming call so that family members that call have highest priority indicated by color and sound.

Regarding claim 2. Fan teaches allowing the user to make a call by dialing one or more characters instead of the whole number (last 6 lines of abstract).

Regarding claims 4 and 14. Shnier identifies call groups by using distinctive sound and flashing "Recognized" led (see 201 figure 2A) and if the incoming call is not associated with a group then the "Unrecognized" led (see 202 figure 2A) is energized. Furthermore, Shnnier uses third led (see 204 figure 2A) to indicate that telemarketers are calling.

Regarding claims 5 and 9-10. Shnier teaches the caller information stored in memory contains at least a telephone number (see "Last Caller's Number" displayed at

Art Unit: 2643

the top of figure 2A). Fan also teaches wherein the caller's information contains at least telephone number (see abstract, see col. 3 lines 39-67).

Regarding claims 12-13. Shnier teaches information detector detects the transmitted caller information from a telephone line (see telephone line 110 figure 1). Fan also teaches detecting information from a telephone line (see 11 figure 1).

### ***Conclusion***

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2643

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.

  
CURTIS KUNTZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600